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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA, )  
 )  
Plaintiff, )  
 )  
v. )  
 )  
\$115,959.00 in United States Currency; and )  
 )  
\$14,509.00 in United States Currency, )  
 )  
Defendant(s). )  
 )

No. CV 09-6071 JSW

**STIPULATION TO STAY PROCEEDING  
PURSUANT TO 18 U.S.C. § 981(g)  
AND ORDER THEREON**

1. IT IS HEREBY STIPULATED by and between Plaintiff UNITED STATES OF AMERICA and Claimant ANNIE DUONG, through her counsel, that this matter be stayed pursuant to 18 U.S.C. § 981(g) and 21 U.S.C. § 881(i).

2. There exists a related state criminal investigation of this matter in Contra Costa and Alameda Counties. The issues in that investigation are related to this forfeiture proceeding.

3. If this case were to proceed, claimant's and other parties' Fifth Amendment rights against self-incrimination will be burdened in the related criminal investigation. Additionally, proceeding with civil discovery at this time would negatively affect the Government's investigation.

4. The provisions of 18 U.S.C. § 981(g)(1), related to stays of civil forfeiture proceedings, provide that "[U]pon the motion of a of the United States, the court shall stay the civil forfeiture proceeding if the court determines that civil discovery will adversely affect the ability of the Government to conduct a related criminal investigation or the prosecution of a related case."

5. Pursuant to the above representations, and the provisions of 18 U.S.C. § 981(g)(1), the parties hereby stipulate and agree to stay this civil forfeiture proceeding relating to Defendants \$115,959.00 in United States Currency; and \$14,509.00 in United States Currency until the completion of the criminal investigation in Contra Costa and Alameda County or until such earlier time as either party, or this Court, may request that the matter be heard.

6. The parties thus request that the matter be stayed for an additional period of 60 days and that any pending deadlines or assigned dates also be stayed and vacated.

IT IS SO STIPULATED:

Dated: January 25, 2011

MELINDA HAAG  
United States Attorney

/S/ Arvon J. Perteet  
ARVON J. PERTEET  
Special Assistant United States Attorney  
Attorney for the United States of America

Dated: January 25, 2011

/S/ Stuart Hanlon  
STUART HANLON  
Attorney for Claimant Annie Duong

**[PROPOSED] ORDER**

IT IS SO ORDERED on this 26th day of January, 2011, pursuant to the foregoing stipulation, that this civil forfeiture proceeding be stayed ~~60 days, or this Court, may request that the matter be heard.~~ The parties shall submit joint status reports to the Court every 90 days until the stay is lifted. Any party may seek to lift the stay by filing a motion with the Court.

  
HONORABLE JEFFREY S. WHITE  
United States District Court Judge